IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION (Cincinnati)

JOEL MOYER, et al.,

Plaintiffs,

Wagistrate Judge Timothy S. Hogan

No.

AMBASSADOR PROGRAMS, INC.,

et al.,

Defendants.

Per Federal Civil Rule 41(a)(1)(ii), Plaintiffs dismiss with prejudice this action. Each party shall bear its own costs. This Stipulated Dismissal Order supersedes the Court's Dismissal Order filed on January 14, 2005 (Doc. # 152).

Data.

So ordered:

Timothy S. Hogan

United States Magistrate Judge

Stipulated and agreed to:

Louis F. Gilligan /

Peter J. Stautberg, Esq.

Keating, Muething & Klekamp, PLL

1400 Provident Tower

One East Fourth Street

Cincinnati, OH 45202

513/579-6400

Attorneys for Plaintiffs

Martin A. Beyer (0060078)

Robert G. Hanseman (0071825)

Sebaly Shillito + Dyer

A Legal Professional Association

1900 Kettering Tower

Dayton, OH 45423

937/222-2500

937/222-6554 (fax)

mbeyer@ssdlaw.com

Attorneys for Defendant Ambassador

Programs, Inc.

Gregory G. Beck, Esq.

Kreiner & Peters Co., LPA

P.O. Box 1209

Dublin, OH 430175202

(513) 367-5401

Attorney for Defendant Humana/Choicecare